IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

WP(C).No. 36011 of 2007(K)

PETITIONER:

C.K.D. RUBBERS
C.K.D. BUILDING, CHM KOYA BYPASS ROAD
MANJERI, REPRESENTED BY ITS MANAGING
PARTNER, K.P. YOOSUF.

BY ADV. SRI.N.MURALEEDHARAN NAIR
SRI.V.K.SHAMUSUDHEEN

RESPONDENTS:

INTELLIGENCE INSPECTOR, SQUAD NO.3
COMMERCIAL TAXES, PALAKKAD.

BY GOVERNMENT PLEADER SRI GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

W.P.(C) 36011 OF 2007

Dated: December 5, 2007

JUDGMENT

Rubber sheets transported by the petitioner for delivery at the Central Warehousing Corporation, Kanjikode, Palakkad, has been detained as per Ext.P4. Explaining the irregularities that are noticed in Ext.P4, the petitioner submits that the order issued by M/s. A.V.Thomas & Co. required the petitioner to deliver the goods at the Central Warehousing Corporation, Kanjikode, Palakkad. In regard to the delay, the petitioner submits that the vehicle had broken down and refers to Ext.P5 bill issued by a workshop where the vehicle was repaired.

2. In view of the nature of the irregularities noticed and the explanations that are offered, I am satisfied that this is a case for enquiry as contemplated in the Act. However, it does not appear necessary to detain the goods or the vehicle in the meanwhile, particularly since the petitioner is a registered dealer. Taking into account the facts and circumstances of the case, I direct that the goods will be released to the petitioner on his executing a simple bond without sureties subject to adjudication in accordance with law.

The writ petition is disposed of as above.

ANTONY DOMINIC, JUDGE

Issue copy today itself

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